

# **Exhibit 5**

**AFFIDAVIT and DECLARATION OF LINDSAY FORNESS**

LINDSAY FORNESS being duly sworn, declares, under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am a resident of Langhorne, Pennsylvania, in Bucks County.
2. I voted in the 2016 general election in the Upper 9th precinct, number 22210-1.
3. My background is in hospitality and private fundraising, but for many years I have been a stay-at-home mom and active volunteer.
4. I served as a County Captain for Bucks County in connection with efforts to obtain a recount of the 2016 presidential vote. As County Captain, I managed and recruited volunteers to file petitions for a recount, and I was a contact point for people seeking information about the recount.
5. On the evening of Sunday, November 27, I hosted a notary at my home so that people from my precincts and neighboring precincts could come over and have their challenge affidavits notarized. I also instructed other people in my area that they could bring their materials to my home before 7 a.m. on Monday, November 28, and that I would file them for them.
6. On the morning of Monday, November 28, I drove to Doylestown, Pennsylvania, the county seat, to file petitions for my precinct and several others. The petition from my precinct included an affidavit from me and two of my neighbors, Julie Smith, and Andrea Pfancook.
7. I arrived at the office of the Board of Elections in Doylestown at around 8:30 a.m. We told a person at the Board of Elections that we were there to seek a recount and recanvass of

the vote. The person said she did not know what to do about our request, but that someone would arrive between 8:30 a.m. and 9:00 a.m. who could help us.

8. At around 9:00 a.m., a second Board of Elections employee arrived. We repeated that we were there to seek a recount of the vote, and she told us that she could not accept anything from us because the Board of Elections "sent their counts in on Tuesday." I asked her whether Bucks County had certified the vote, and she would not give me a straight answer.

9. At that point, I called Larry Otter, a pro bono attorney. Larry drove to the Board of Elections to meet us and went into the office to speak with Board of Elections administrators. After that meeting, the Board of Elections informed us that we could leave our petitions at the desk in a pile, but they would not be stamped.

10. I asked Larry what to make of the fact that the Board of Elections "sent their counts in Tuesday," and I asked him if he knew whether the county had certified the vote. He also did not know the answers to these questions, but said that we should file the petitions anyway.

11. At around 11:00 a.m., I left my petition in the pile and left to go pick up more petitions from other people's homes, as well as from my home, where several more had been dropped off. While I was gone, I received a call from Janice Hobbs-Pellechio, a fellow petitioner and volunteer, who told me that the Board of Elections had decided that it was no longer accepting petitions, and that people needed to file them with the Prothonotary's Office instead.

12. After picking up the additional petitions, I drove back to Doylestown to the Prothonotary's Office that afternoon. When I arrived, I learned that the Prothonotary's Office was charging people \$50 to file petitions. I stayed at the Prothonotary's Office throughout the

afternoon to answer questions from people seeking to file petitions, and to tried to compile complete petition packets for the precincts (since some people only brought a single affidavit, instead of the three required per precinct).

13. Though I was happy that I was able to file my own petition and assist numerous others to file theirs, I feel that recount system in Pennsylvania makes it practically impossible for voters to seek a recount. I was perplexed by how the rules seemed to shift as the day went on. The entire process felt like a huge brick wall saying to the citizens of Pennsylvania, "you are never going to get a recount no matter what the reasons are."

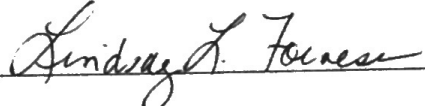
14. For me, this recount is not about getting a new result for the election. It is about unraveling the process. What if there was concrete evidence—or even proof—of been large-scale hacking of the election system in Pennsylvania? Even then—and even with incredible, large-scale organization, the citizens of this state would still not be able to obtain a recount. That is my concern.

15. In addition, there were many volunteers in my county, and with whom I worked, who not only voted, but cared enough about this election to help seek a recount. These people all obtained and signed an affidavit, found a notary, paid a notary, paid the Prothonotary, and made all-around enormous efforts to engage in their democracy and seek a recount. It saddens me that their voices are not heard.

16. I am concerned that my vote and the votes of my fellow citizens were not counted accurately in the election, and would like a manual recount of every paper ballot and a forensic examination of the electronic voting systems in Pennsylvania to make sure that the vote had integrity and every vote counted.

17. A copy of the blank copy of the petition that I filed is attached as Exhibit A.

Dated: December 4, 2016  
Langhorne, Pennsylvania

  
[signature]

Sworn to and subscribed  
before me this \_\_\_\_ day  
of \_\_\_\_\_, 2016.

\_\_\_\_\_  
NOTARY PUBLIC

# EXHIBIT A

**COMMONWEALTH OF PENNSYLVANIA**  
**COUNTY OF \_\_\_\_\_**

**PETITION TO RECOUNT AND/OR RECANVASS**  
**AND AFFIDAVIT OF [your name] \_\_\_\_\_**

**TO THE \_\_\_\_\_ COUNTY BOARD OF ELECTIONS, [name of  
county]\_\_\_\_\_, PENNSYLVANIA:**

\_\_\_\_\_, verifies, deposes and says the following under penalty of  
perjury:

1. My name is \_\_\_\_\_. I am a registered voter in City, Borough,  
Township of \_\_\_\_\_, Precinct [insert number] \_\_\_\_\_,  
\_\_\_\_\_ County, Pennsylvania. I voted in this district in the election on  
November 8, 2016. I live at [insert complete street address]  
\_\_\_\_\_, \_\_\_\_\_ County, Pennsylvania.

2. Pursuant to 25 P.S. § 3154, I request a recount and recanvass of the vote for  
President of the United States and for United States Senate in the November 8, 2016 election in  
this district.

3. I believe that an error, although not apparent on the face of the returns, has been  
committed in the vote in this district. I also believe there is a discrepancy in the returns of this  
district.

4. My belief is based, in part, on the attached Affidavit of Alex Halderman, which  
raises grave concerns about the integrity of DRE voting machines used in this district. *See Ex. A*  
(attached).

5. I request that the county board not just recanvass the votes cast on the DRE machines, but do a forensic analysis of the software and media inside the machines, to determine whether the machines have been hacked or tampered with. As the Halderman affidavit makes clear, merely recanvassing the votes on the machines will not detect whether the machines have been compromised.

6. At minimum, I request that a reasonable subset of the DRE machines be forensically analyzed by appropriate computer experts for potential tampering, malware, and/or hacking.

7. As a voter, and as a citizen of this country, I believe it is extremely important that votes are counted accurately in this election.

8. I hereby verify under penalty of perjury that the facts contained in this petition and affidavit are true and correct to the best of my knowledge or information and belief.

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[signature]

Sworn to before me this \_\_\_\_\_ day of November 2016.

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Notary Public

### **VERIFICATION**

I hereby depose and say that the statements in the foregoing Petition to Recount and/or Recanvass are true and correct to the best of my knowledge, information and belief. I understand that this statement is made subject to the penalties of 18 Pa. C. S. Sec 4904 relating to unsworn falsification to authorities.

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[signature]